

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

Board Meeting

June 21, 2007

A meeting of the Georgia Board of Chiropractic was held on Thursday, June 21, 2007, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:	Others Present:
Karen Mathiak, D.C., President Gregory Baker, D.C. J. Chris Nelson, D.C. David A. Wren, D.C.	Ajay Gohil, Board Attorney Anita O. Martin, Executive Director Samirah Stephens, Board Secretary

Karen Mathiak established that a quorum was present and the meeting was **called to order** at 10:05am.

Review and approval of minutes from April 26, 2007 meeting- Dr. Baker made a motion, Dr. Nelson seconded and the Board voted to approve.

Review and approval of minutes from May 17, 2007 meeting- Dr. Nelson made a motion, Dr. Wren seconded and the Board voted to approve.

Correspondence from Weldon Odom, D.C. requesting that board waive reinstatement fees for his lapsed license- Dr. Nelson made a motion, Dr. Baker seconded and the Board voted to approve.

Correspondence from Eugene Runne, D.C. requesting that board waive reinstatement fees and allow him to renew his license- Dr. Baker made a motion, Dr. Nelson seconded and the Board voted to deny.

Correspondence from Cara Denese Jackson, D.C. requesting that board waive reinstatement fees and allow her to renew her license- Dr. Wren made a motion, Dr. Baker seconded and the Board voted to deny, however they will allow her to reinstate her license by paying the total fee of \$750 in installments of \$250 every other month with the total to be paid within six months.

Correspondence from Atlee Wampler, D.C. regarding State Farm requesting a refund for services he billed during the late renewal period and State Farm's refusal to pay for services billed under Codes 97110, 97112, 97530, and 97140.- Board Response: Notify Dr. Wampler that records show that he practiced without a license from 1/1/07 to 2/21/07. Reemphasize with him that insurance billing issues should be brought to the attention of the Insurance Commissioner's Office.

Correspondence from Dr. Mathiak regarding effects of SB 102 to chiropractic practice- Steve Welsh, D.C. addressed the board and comments from Davis Kinney, D.C. were also considered.

Board response: The Executive Director will contact CCE to acquire information regarding which modalities are part of the normal D.C. curriculum. Upon receipt of the information, the board will consider a conference call the first week of July to develop a policy until a rule can be drafted. In the interim, with the new law taking effect July 1, 2007, practitioners should be directed to contact their attorney to interpret the law and how it impacts their practice.

Notice of non-payment or default of federal education loan for Stephanie M. O'Brien, D.C.- Dr. Wren made a motion, Dr. Nelson seconded and the board voted to suspend her license.

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Notice of non-payment or default of federal education loan for Paul F. Penn, D.C.-Dr. Nelson made a motion, Dr. Baker seconded and the board voted to suspend his license.

Notice of non-payment or default of federal education loan for Clayton E. Bell, D.C.- Dr. Nelson made a motion, Dr. Baker seconded and the board voted to suspend his license.

Notice of non-payment or default of state education loan for Robert L. Alday- Dr. Wren made a motion, Dr. Nelson seconded and the board voted to suspend **Robert Alday's** license to practice as a Chiropractor, for failure to repay a student loan, and further move that this suspension will cease upon receipt by the Joint Secretary of a "Notice of Release" from the Georgia Higher Education Assistance Corporation.

Correspondence from Paul L. Silcox, D.C. requesting that board waive reinstatement fees and allow him to renew his license- Dr. Nelson made a motion, Dr. Baker seconded and the Board voted to deny, however they will allow him to reinstate his license by paying the total fee of \$750 in installments of \$250 every other month with the total to be paid within six months.

Records release correspondence from Carter & Ansley, LLP regarding Jimmy L. Taylor, D.C.-Dr. Baker made a motion, Dr. Nelson seconded and the board voted to deny.

LICENSES TO RATIFY.

Dr. Nelson made the motion and Dr. Wren seconded and the Board voted to **approve**.

License#	Name	Profession	Status
CHIR008173	Larkin, Gary C.	Chiropractor	Active
CHIR008174	Jackson, Megan Elizabeth	Chiropractor	Active
CHIR008175	Connell, Rachel Elizabeth	Chiropractor	Active
CHIR008176	Ingweiller, Laura Lynn	Chiropractor	Active
CHIR008177	Khanali, Bahram	Chiropractor	Active
CHIR008178	Millington, Belinda A.	Chiropractor	Active
CHIR008179	Zvolerin, Matthew Charles	Chiropractor	Active
CHIR008180	Huebner, Delanie Dianne	Chiropractor	Active
CHIR008181	Schlobohm, Erik R.	Chiropractor	Active
CHIR008182	Miller, Daniel Joseph	Chiropractor	Active
CHIR008183	Nudelman, David Joshua	Chiropractor	Active
CHIR008184	Haywood, Allen Glen	Chiropractor	Active
CHIR008185	Gutierrez, Francisco Antonio, Jr.	Chiropractor	Active
CHIR008186	Haddock, Mark Allen	Chiropractor	Active
CHIR008187	Payne, Tanja Elisabeth	Chiropractor	Active
CHIR008188	Guddall, Jennifer Lynn	Chiropractor	Active
CHIR008189	Heagy, Danita Thomas	Chiropractor	Active
CHIR008190	Coffman-Cole, Nicole A.	Chiropractor	Active
CHIR008191	Buck, Colin Grant	Chiropractor	Active
CHIR008192	Sadovnik, Noam	Chiropractor	Active
CHIR008193	Waggoner, Ashley Nicole	Chiropractor	Active
CHIR008194	Collier, Jeffrey H.	Chiropractor	Active
CHIR008195	Woods, Lawrence Andrew	Chiropractor	Active
CHIR008196	Conway, Jennifer Lynn	Chiropractor	Active
CHIR008197	Berger, Heidi	Chiropractor	Active

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CHIR008083	Ostrander, Thomas C.	Chiropractor	Active
CHIR004993	Kritzberg, David F.	Chiropractor	Active
CHIR008064	Hourin, Thomas R.	Chiropractor	Active
CHIR001101	Mayfield, Randy L.	Chiropractor	Active
CHIR001317	Scruggs, William B.	Chiropractor	Active
CHIR001970	Littell, Robert S.	Chiropractor	Active
CHIR000211	Beckerman, Alan	Chiropractor	Active
CHIR004685	Elliott, Paula	Chiropractor	Active
CHIR006573	Mankiewicz, Carl G.	Chiropractor	Active
CHIR006047	Laurie, Douglas R.	Chiropractor	Active
CHIR007527	Davis, Rochelle L.	Chiropractor	Active
CHIR000875	Vellucci, Vincent	Chiropractor	Active
CHIR002544	Saadej, Janeah	Chiropractor	Active
CHIR002308	Lee, Darryl Jay	Chiropractor	Active
CHIR004667	Amaral, Angela J.	Chiropractor	Active
CHIR007418	Bivins, Jeffrey G.	Chiropractor	Active
CHIR005797	Finley, Laura L.	Chiropractor	Active
CHIR006253	Lebhaft, David M.	Chiropractor	Active
CHIR002798	Schroter, Robert A.	Chiropractor	Active
CHIR002183	Aiello, Jerry L.	Chiropractor	Active
CHIR007978	Lupo, Tarrin P.	Chiropractor	Active
CHIR007700	Suarez, Ingrid G.	Chiropractor	Active
CHIR000580	Dawkins, Paul L.	Chiropractor	Active
CHIR007282	Diener, John B.	Chiropractor	Active
CHIR005150	Jordan, Julie A.	Chiropractor	Active
CHIR005239	Kaiser, Barbara A.	Chiropractor	Active
CHIR005223	Frazee, Stephen M.	Chiropractor	Active
CHIR004753	Howard, Donna L.	Chiropractor	Active
CHIR005683	Friedman, Russell A.	Chiropractor	Active
CHIR005149	Jones, Charlotte J.	Chiropractor	Active
CHIR002892	Kauffman, Keith L.	Chiropractor	Active
CHIR007718	Loop, Matthew J.	Chiropractor	Active
CHIR007274	McGahan Boyle, Kathryn S.	Chiropractor	Active
CHIR001553	Scales, Dennis W.	Chiropractor	Active
CHIR007582	Stuckey Jr., Orville L.	Chiropractor	Active
CHIR004786	Willis, Christopher P.	Chiropractor	Active
CHIR005360	Pradhan, Cindy M.	Chiropractor	Active
CHIR004785	Widen, Eric D.	Chiropractor	Active
CHIR001554	Desaulniers, Veronique	Chiropractor	Active
CHIR006774	Stone, Karen L.	Chiropractor	Active

Rules Committee Report

Consideration of vote to post Board Rule 100-4-.01, Advertising- *Board response:* Refer back to Rules Committee for revision.

Consideration of vote to post Board Rule 100-4-.02, Diplomate Status/Certifications- *Board response:* Refer back to Rules Committee for revision.

Consideration of vote to post Board Rule 100-5-.01, Continuing Education, Hours Required., Board Rule 100-5-.02 Continuing Education, Approval of Educational

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Programs., and Board Rule 100-5-.04, Responsibilities of Providers- Board response: Vote to post.

100-5-.01 Hours Required. Amended.

(1) Each licensed chiropractor is required to obtain a minimum of twenty (20) hours of Board-approved continuing education ~~annually~~ per year in order to renew his/her license. ~~biennially~~

(a) Courses dealing ~~entirely~~ with practice building, coding strategies or practice management will not be accepted by the Board for the purpose of satisfying the requirement of O.C.G.A. § 43-9-11.

(b) Each licensed chiropractor shall maintain in his/her own possession certificates of attendance at continuing education meetings for a period of 4 years from the date of the program.

(c) Each doctor of chiropractic is responsible for determining in advance that the courses which he/she proposes to attend are sponsored by an approved provider. Such documentation of approval shall be furnished by the program/sponsor/provider.

(2) Successful licensure candidates are automatically exempt from meeting the continuing education requirement in the calendar year said candidate is licensed.

Authority O.C.G.A. Secs. 43-1-25, 43-9-4, 43-9-6.1, 43-9-11.

100-5-.02 Approval of Educational Programs. Amended.

Effective January 1, 1999:

(1) A chiropractor must obtain a minimum of twenty (20) hours of continuing education per annum. Of these twenty hours, fifteen (15) must be in chiropractic clinical science, four (4) hours must be in ethics or risk management, and one (1) hour must be in jurisprudence (NOTE: non-resident chiropractors, licensed but not practicing in Georgia, may take an additional hour of continuing education in the chiropractic clinical sciences or risk management in lieu of the required hour in Georgia Laws and Rules).

(a) Approved areas of study to satisfy the fifteen (15) hours in chiropractic clinical science are:

1. ~~Examination Procedures/Diagnoses~~
2. ~~Adjustive Technique~~
3. ~~Radiographic Technique/Safety~~
4. ~~Diagnostic Imaging Interpretation~~
5. ~~Nutrition~~
6. ~~Research Trends~~
7. ~~Physiological Therapeutics~~
8. ~~Chiropractic Philosophy: a maximum of 3 hours credit in chiropractic philosophy will be considered by the Board for continuing education approval.~~

(b) Approved areas of study to satisfy the four (4) hours in ethics or risk management are:

1. ~~Risk Management~~
2. ~~Chiropractic Medical/Legal~~
3. ~~Public Health Issues~~
4. ~~Professional Conduct/Boundaries Issues~~
5. ~~Scope of Practice~~

(c) Approved areas of study to satisfy the one

(1) hour in jurisprudence are: 1. Georgia Chiropractic Laws and Rules

2. ~~Non-resident chiropractors, licensed but not practicing in Georgia, may take an additional hour of continuing education in the chiropractic clinical sciences or risk management in lieu of the required hour in Georgia Laws and Rules.~~

(d) Courses specifically excluded from continuing education approval include, but are not limited to the following:

1. ~~Insurance Billing, Reporting, Coding and Procedures~~ 2. ~~Practice Management or Practice Building.~~

(2) The following organizations have been approved by the Board to conduct, sponsor, or co-sponsor continuing education coursework that is consistent with the chiropractic scope of practice in the State of Georgia and that is approved for continuing education per Rule 100-5-.02 (1)(a), (b), and (c):

(a) Chiropractic Associations in this State; or

(b) Chiropractic schools or colleges approved by the Council on Chiropractic Education (CCE) or a Board approved successor, and the Board as approved in Rule 100-12-.01.

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(3) Courses must be those in which actual attendance by the licensee shall be required. However, distance based learning courses offered via audio/visual electronic media, such as the internet, may be approved by the Board if the course meets the following criteria:

(a) The course must meet all of the requirements as cited in this Rule.

(b) The program must be test and time monitored to insure active participation by the licensee.

(1) A chiropractor must obtain a minimum of twenty (20) hours of continuing education per year.

(a) Of these twenty (20) hours, fifteen (15) must be in chiropractic clinical science;

1. Approved areas of study to satisfy the fifteen (15) hours in chiropractic clinical science are:

(i) Examination Procedures/Diagnoses

(ii) Adjustive Technique

(iii) Radiographic Technique/Safety

(iv) Diagnostic Imaging Interpretation

(v) Nutrition

(vi) Research Trends

(vii) Physiological Therapeutics

(viii) Clinical Documentation: a maximum of 4 hours credit in clinical documentation will be considered by the Board for continuing education approval.

(ix) Chiropractic Philosophy: a maximum of 3 hours credit in chiropractic philosophy will be considered by the Board for continuing education approval.

(b) Of the remaining five (5) hours, four (4) hours must be in ethics or risk management.

1. Approved areas of study to satisfy the four (4) hours in ethics or risk management are:

(i) Risk Management

(ii) Chiropractic Medical/Legal

(iii) Public Health Issues

(iv) Professional Conduct/Boundaries Issues

(v) Scope of Practice

(c) The remaining one (1) hour must be in Georgia laws and rules.

1. Non-resident chiropractors, licensed but not practicing in Georgia are required to have the twenty (20) hours per year but are not required to take the one (1) hour in Georgia jurisprudence.

(2) Courses specifically excluded from continuing education approval include, but are not limited to the following:

(a) Insurance Billing;

(b) Insurance Reporting;

(c) Insurance Coding and Procedures;

(d) Practice Management; and

(e) Practice Building.

(3) Courses must be those in which actual attendance by the licensee shall be required.

(4) Distance based continuing education courses offered via audio/visual electronic media, such as the internet, are limited to ten (10) hours per year and must be approved by the Board.

Authority O.C.G.A. Secs. 43-1-25, 43-9-4, 43-9-6.1, 43-9-11.

100-5-.04, Application for Approval and Responsibilities of Providers.

(1) Chiropractic Colleges and/or schools accredited by the Commission on Chiropractic Education are approved by the board to provide continuing education programs on topics which fall within the current scope of practice in Georgia.

Each approved provider of continuing education for the State of Georgia shall provide a means of registration of the participants at each program and a record of attendance shall be maintained for a period of three (3) years.

(2) Professional associations (approved by the Board) in Georgia are approved by the Board to provide continuing education programs on topics which fall within the current scope of practice in Georgia.

The provider shall also furnish to each participant a certificate of attendance to evidence his/her successful completion of the program. This certificate of attendance shall contain the following information:

(a) Name and license number in each state of licensure of participant;

(b) Name of provider;

(c) Name of program;

(d) Hours awarded;

(e) Date of completion;

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(f) Authorized signature.

(3) All continuing education providers must assure that the courses taught are on a topic in compliance with the current scope of practice

(4) All other continuing education providers must apply for approval by the Georgia Board and must provide the following information to the board for consideration:

1. Each sponsor or provider shall have an administrator whose responsibility is to maintain the criteria for quality in programming.

2. Providers shall use qualified personnel to develop and present the programs, which shall utilize appropriate instructional materials and resources.

3. Providers shall provide to the Board adequate advanced promotional information, material about target audiences, program content, and faculty credentials.

4. Providers shall provide a means of registration of the participants at each program and maintain a record of attendance for a period of three years from the date of the program.

5. Providers shall develop policies and procedures for the management of grievances.

(5) All continuing education providers seeking approval of the continuing education program by the Georgia Board of Chiropractic Examiners shall submit a Program Approval Form for each program presented. These forms should be submitted 60 days in advance of the program to be considered for approval.

(6) Providers shall provide each participant with adequate documentation of his/her successful completion of the program. The documentation shall include but is not limited to:

(i) Name and license number of participant;

(ii) Name of provider;

(iii) Name and title of program;

(iv) Hours/CEU's completed;

(v) Date of completion; and

(vi) Authorizing signature.

(7) Per O.C.G.A. § 43-9-11, the Georgia Board of Chiropractic Examiners reserves the right to audit and/or deny any continuing education program or provider which does not meet the criteria, laws, rules and regulations of the board pertaining to continuing education.

(8) The Board reserves the right for its representative to attend or conduct any on-sight audit of any continuing education program. Any fees associated with such audit must be waived by the provider. No continuing education credit would be awarded for such participation.

Authority §§ 43-1-25, 43-9-6.1 (1) and (2), 43-9-7.2, and 43-9-11.

Consideration of vote to post Board Rule 100-7-.04, Standards of Practice- Board response: Refer back to Rules Committee for revision.

Consideration of vote to post Board Rule 100-7-.05, Private Review Agent Requirements- Board response: Refer back to Rules Committee for revision.

Consideration of vote to post Board Rule 100-7-.07, Patient Referrals and Patient Records- Board response: Refer back to Rules Committee for revision.

Consideration of vote to post Board Rule 100-7-.08, Patient Care and Pre-payment plans- Board response: Refer back to Rules Committee for revision.

Executive Director's Report – Ms. Anita Martin

- Provided information to board members re: filing financial disclosure statements.
- Non-compliance of Steve Catterton, D.C. and Richard Zabowski, D.C.- Board response: Refer to Attorney General's office to send a non-compliance letter. Give them fifteen (15) days to respond to the board or send a voluntary surrender; if voluntary surrender is not signed and returned within ten (10) days file a notice of hearing for revocation.

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- Request to accept public consent orders on Edward Mascali, D.C. and James K. West, D.C.- Dr. Baker made a motion, Dr. Wren seconded and the Board voted to accept.
- Discussed letter from Robert E. Cunningham, D.C. with the board- Viewed as informational.

Dr. Wren made a motion, Dr. Nelson seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. § 43-1-19 (h) (2) and § 43-1-2 (k) to deliberate and receive information on applications, investigative committee reports, and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Dr. Baker. The Board concluded Executive Session in order to vote on the matters and to continue with the public session.

Appeal Appointments

C.K.E. – Dr. Wren made the motion, Dr. Baker seconded and the Board voted to require an OMPE before additional consideration of application.

Applications

Z.A.D. – Applicant requesting approval for licensure.- **Recommended approval.**

J.T.M. – Applicant requesting approval for licensure.- **Recommended denial.**

R.K.B. – Applicant with unlicensed practice requesting approval for reinstatement of licensure.- **Recommended to reinstate under policy #5 and accept upon receipt.**

J.T.B. – Applicant requesting approval for licensure.- **Recommended approval.**

R.L.M. – Reinstatement applicant petitioning Board for rules waiver, required CE hours.- **Recommended denial.**

R.B.M. – Applicant requesting approval for licensure.- **Recommended approval.**

W.A.J. – Applicant requesting approval for reinstatement of licensure-**Recommended approval.**

L.D.D. – Applicant requesting approval for reinstatement of licensure pending receipt of SC verification- **Recommended approval.**

K.L.T. – Applicant requesting approval for licensure pending receipt passing scores, part 4 of nationals- **Recommended approval.**

J.T.D.-Applicant requesting approval for reinstatement of licensure- **Recommended denial due to pending complaint.**

H.D.H. – Applicant (ULP) requesting approval for reinstatement of licensure pending receipt of MI verification- **Recommended to reinstate under policy #5 and accept upon receipt.**

J.M.T. – Applicant (ULP) requesting approval for reinstatement of licensure- **Recommended to reinstate under policy #5 and accept upon receipt.**

T.A.W. – Applicant requesting reinstatement- **Recommended to reinstate under policy #5 and accept upon receipt.**

J.J.- Applicant requesting reinstatement- **Recommended to reinstate under policy #5 and accept upon receipt.**

A.B.B.- Applicant requesting reinstatement- **Recommended to reinstate under policy #5 and accept upon receipt.**

J.K.- Applicant requesting reinstatement- **Recommended to reinstate.**

Dr. Baker made the motion, Dr. Nelson seconded and the Board voted to **accept** the recommendations on applications.

Investigative Report-

CHIR070036 – recommend to close.

CHIR060086 – recommend to refer to Attorney General for Cease & Desist order.

CHIR070055 – recommend to close.

CHIR070064 – recommend to run GCIC and table until outcome of criminal case.

CHIR070068 – recommend that enforcement obtain sworn statement from patient.

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CHIR070048 – recommend to close.

CHIR070081 – recommend to request patient records and schedule for Investigative Interview.

CHIR070086 – recommend to refer to enforcement to serve a Cease & Desist order, request patient records and check with FBI about status of cases.

CHIR070108 – recommend to refer to Attorney General for Public CO, \$1000 fine, and pass the Ethics & Boundaries Exam from the FCLB.

CHIR060102 – recommend to refer to enforcement to subpoena claims from the insurance company.

CHIR070087 – recommend to close.

CHIR070063 – recommend to refer to enforcement and subpoena all correspondences from Humana.

CHIR060109 – recommend to close.

CHIR060110 – recommend to close.

CHIR060108 – recommend to close.

Dr. Baker motioned, Dr. Wren seconded and the Board voted to **accept** the recommendations on the investigations/enforcement reports.

Attorney General's Report

- Cease & Desist order on Scott DePol- Dr. Wren motioned, Dr. Nelson seconded and the board voted to accept upon receipt of original.

There being no further business to come before the Board, the meeting was adjourned at 5:30 pm on June 21, 2007.

Minutes prepared by: Samirah Stephens, Board Secretary

Reviewed/Edited by: Anita O. Martin, Executive Director

These minutes were approved on August 30, 2007.